

CALFRESH REQUEST FOR POLICY INTERPRETATION**PI# 17-98**

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

Please note: the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST: 11/20/2017	NEED RESPONSE BY: 11/20/2017
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION: Ventura County	
3. PHONE NO.: EMAIL:		7. SUBJECT: Determination of Indigence (24&36-month cert periods)	
4. REGULATION CITE(S): MPP 63-503.492(d)(1)(B), ACL 11-06, CFR273.4(iv)		8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACL 11-06	
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY): MPP 63-503.492 (d)(1) (B) , ACL 11-06, and CFR 273.4 (iv) all read in part that the indigence determination applies for a period beginning on the date of such indigence determination and ending 12 months from that date. The 12-month exception period is renewable for additional 12-months periods.			

1) Does the Indigence Determination apply in a 12-month period at a time?, If so must counties make the indigence determination at the 12-month contact (SAR 7) in a 24-month certification period, and at the 12&24-month contact (SAR 7) in a 36-month certification period?, or

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10. REQUESTOR'S PROPOSED ANSWER:

1) Yes, counties must be making an Indigence Determination at the 12-month contact (SAR 7) for the 24-month certification period, and at 12&24-month contact (SAR 7) for the 36-month certification period households.

2) No, the Indigence Determination cannot be made for all the CalFresh households at recertification period.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The state concurs with the proposed answer based on the given scenario. A non-citizens indigent status must be re-evaluated every 12 months beginning on the date of such indigence determination, per CFR 273.4(c)(3)(iv). Once a determination of indigence is made, the non-citizen remains in indigence status for 12 month from the date of eligibility and the CWD is required to send a notice to USCIS with the sponsors and sponsored non-citizens names each time an indigence determination is made.

Households with a 24 and 36-month certification period, are still required to renew indigent status every 12 months.

FOR CDSS USE

DATE RECEIVED:

11/22/2017

DATE RESPONDED TO COUNTY/ALJ:

11/29/2017

CALFRESH REQUEST FOR POLICY INTERPRETATION (Continued)**PI#17-98**

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST: 11/21/2017	NEED RESPONSE BY:
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION: County of Ventura	
3. PHONE NO.:	EMAIL:	7. SUBJECT: Determination of Indigence (24&36-month Cert period HH)	
4. REGULATION CITE(S): MPP 63-503.492(d)(1)(B), ACL 11-06, CFR273.4(iv)		8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACL 11-06	

2) Can the Indigence Determination be made for all CalFresh households at recertification (12, 24 and 36 month)?